

Defendant, having executed the Plea Agreement, tendered a plea of guilty to the offense(s) charged in Count One of the Fourth Superseding Indictment. The Magistrate Judge concludes the guilty plea is knowing, intelligent, and voluntary, and that the Statement of Facts made a part of the Plea Agreement, whose truth Defendant acknowledged, provides a sufficient basis for a finding of

guilt. It is therefore respectfully recommended that the guilty plea be accepted and Defendant be found guilty as charged in Count One of the Fourth Superseding Indictment..

Anticipating the District Court's adoption of this Report and Recommendation, the Magistrate Judge referred the Defendant for a pre-sentence investigation, continued his detention without bond, and set sentencing for June 19, 2012, at 2:00 P.M. before Judge Rice in Courtroom Number 1.

March 14, 2012

s/ **Michael J. Newman**  
United States Magistrate Judge

#### **NOTICE REGARDING OBJECTIONS**

Pursuant to Fed. R. Civ. P. 72(b), any party may serve and file specific, written objections to the proposed findings and recommendations within fourteen days after being served with this Report and Recommendations. Pursuant to Fed. R. Civ. P. 6(e), this period is automatically extended to seventeen days because this Report is being served by one of the methods of service listed in Fed. R. Civ. P. 5(b)(2)(B), (C), or (D) and may be extended further by the Court on timely motion for an extension. Such objections shall specify the portions of the Report objected to and shall be accompanied by a memorandum of law in support of the objections. If the Report and Recommendations are based in whole or in part upon matters occurring of record at an oral hearing, the objecting party shall promptly arrange for the transcription of the record, or such portions of it as all parties may agree upon or the Magistrate Judge deems sufficient, unless the assigned District Judge otherwise directs. A party may respond to another party's objections within fourteen days after being served with a copy thereof. Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See United States v. Walters*, 638 F. 2d 947 (6<sup>th</sup> Cir., 1981); *Thomas v. Arn*, 474 U.S. 140 (1985).